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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/350,144	07/09/1999	KAZUNORI TAKAHASHI	21.1935	7639

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CHEVALIER, ROBERT

ART UNIT PAPER NUMBER

2615

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/350,144

Applicant(s)

TAKAHASHI, KAZUNORI

Examiner

Bob Chevalier

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,10-18 and 22-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,10-18 and 22-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/9/99 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6, 10, 12-16, 18, 22, 24-27, 28, 33, 37, 41-42, and 46, are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al in view of Adachi as set forth in the previous Office Action mailed out 10/22/03 (Paper No. 11).

It is noted that the newly added limitations of the screen information included the first part and the second part and the stored reduced screen information includes only the first as specified in claims 1, 2, 13, and 25, would be inherently present in the proposed combination of Okamoto et al and Adachi. Because, such a proposed combination would incorporate the capability of reducing and deteriorating the signals before recoding the same on the medium. Therefore, by reducing and deteriorating the video signal, it is noted that only part of the signal would forcedly be remained for recording purposes.

It is noted that the newly added limitations of the screen information being reduced by at least one of pixel reduction, line reduction, and frame reduction as specified in the new claims 28, 33, 37, 41-42, 46, would have been inherently present in the proposed combination of Okamoto et al, and Adachi. Since, the proposed combination would have already included the capability of reducing, deteriorating the quality of the inputted video data.

3. Claims 4-5, 11, 17, and 23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al and Adachi as applied to claims 1-3, 6, 10, 12-16, 18, 22, and 24-27 above, and further in view of the submitted prior art of Kitazawa Hiroaki (P.N. 09083920), as set forth in the previous Office Action mailed out 10/22/03 (Paper No. 11).

4. Claims 29-31, 34, 36, 38-40, 43, 45, and 47-49, are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al, and Adachi as applied to claims 1-3, 6, 10, 12-16, 18, 22, 24-27, 28, 33, 37, 41-42, and 46, above, and further in view of the submitted prior art, Figure 2, described at pages 3-4, of the present Application.

The proposed combination of Okamoto et al and Adachi indicated above discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 29-31, 34, 36, 38-40, 43, 45, and 47-49, including the feature of digitizing input video signal and storing reduced screen information to a storage device in the case where copy guard detecting circuit detects the copy guard signal indicating copying restriction as specified in the present claims 29-31, 34, 36, 38-40, 43, 45, and 47-49. (See the above rejection of claim 1).

The proposed combination of Okamoto et al and Adachi fails to specifically disclose the feature of the inputted information displayable on a screen of a display device is not reduced both when the copy guard signal is not detected and when the detected copy guard signal indicates a copying restriction as specified in the present claims 29-31, 34, 36, 38-40, 43, 45, and 47-49.

The admitted prior art, Figure 2, described at pages 3-4, of the present Application discloses a video recording/reproducing apparatus that includes the capability of displaying inputted video data without deterioration on a screen of a display device regardless of whether copy guard signal is detected or not as claimed in claims 29-31, 34, 36, 38-40, 43, 45, and 47-49.

It would have been obvious to one skilled in the art to modify the proposed combination of Okamoto et al and Adachi indicated above wherein the inputting means provided thereof (See Okamoto et al's Figure 1, components 10, and 12) would have a display means connected thereof for the purpose of displaying inputted video data without deterioration on a screen of a display device regardless of whether copy guard signal is detected or not in the same conventional manner as is described in the admitted prior art described at Figure 2 of the present Application. The motivation being to be able to view the inputted video data on a display means at any desired time as suggested in the prior art.

5. Claims 32, 35, and 44, are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al, Adachi, and Hiroaki as applied to claims 4-5, 11, 17, and 23, above, and further in view of the admitted prior art, Figure 2, described at pages 3-4, of the present Application.

The proposed combination of Okamoto et al, Adachi, and Hiroaki indicated above discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 32, 35, and 44, including the feature of digitizing input video signal and storing reduced screen information to a storage device in the case where

copy guard detecting circuit detects the copy guard signal indicating copying restriction as specified in the present claims 32, 35, and 44. (See the above rejection of claim 4).

The proposed combination of Okamoto et al, Adachi, and Hiroaki, indicated above fails to specifically disclose the feature of the inputted information displayable on a screen of a display device is not reduced as specified in the present claims 32, 35, and 44.

The admitted prior art, Figure 2, described at pages 3-4, of the present Application discloses a video recording/reproducing apparatus that includes the capability of displaying inputted video data without deterioration on a screen of a display device regardless of whether copy guard signal is detected or not as claimed in claims 32, 35, and 44.

It would have been obvious to one skilled in the art to modify the proposed combination of Okamoto et al, Adachi, and Hiroaki, indicated above wherein the inputting means provided thereof (See Okamoto et al's Figure 1, components 10, and 12) would have a display means connected thereof for the purpose of displaying inputted video data without deterioration on a screen of a display device in the same conventional manner as is described in the admitted prior art described at Figure 2 of the present Application. The motivation being to be able to view the inputted video data on a display means at any desired time as suggested in the prior art.

Response to Arguments

6. Applicant's arguments filed 1/22/04 have been fully considered but they are not persuasive.

With regard to Applicant's argument in that the proposed combination of Okamoto et al and Adachi being improper, because, it fails to disclose the claimed feature of storing reduced and encoded screen information in the case where the copy guard detecting circuit detects a copy guard signal indicating a copying restriction and that the Examiner's citation to Okamoto only refer to a case when a signal indicates that copying is not restricted, Examiner disagrees.

It is noted that the proposed combination of the cited reference of Okamoto et al and Adachi is proper, because, Okamoto et al does disclose the claimed feature of storing encoded screen information in the case where the copy guard detecting circuit detects a copy guard signal indicating a copying restriction, such as permission of copying only once as shown in Okamoto et al's column 4, lines 20-22.

With regard to Applicant's argument in that the proposed combination of Okamoto et al and Adachi fails to disclose the claimed feature of "picture information input from a first device is stored at the storage device in order to record and the stored picture information is outputted in order to reproduce", Examiner disagrees.

It is noted that Okamoto et al does clearly disclose the capability of inputting at input terminal 10, for example, picture information generated from a first device wherein the inputted picture information is stored at the storage device 14 and that said stored picture information can be reproduced and outputted at terminal 11, for example. (See Okamoto et al's Figure 1).

Regarding the Applicant's argument in that the cited reference of Okamoto et al fails to disclose the feature of storing to a storage device both the screen information

and the fact of the detection by the copy guard detecting circuit of the copy guard signal, Examiner disagrees. It is noted that such a feature argued by Applicant would be present in Okamoto et al, since, Okamoto does disclose the capability of storing encoding screen information together with copy information detected from the copy guard detecting means. Applicant's attention is directed to Okamoto et al's column 3, lines 38-43.

Regarding the Applicant's argument in that there is no teaching in Okamoto et al to modify the described apparatus for video signals in view of Adachi in the manner indicated by the Examiner, because, Adachi only teaches a compression method that is applicable to image signals, not video signals, Examiner disagrees.

It is noted that the proposed combination of Okamoto et al and Adachi indicated above is proper. Because, one of ordinary skill in the art would readily recognize that video signals can be represented by a set of image signals at 30 frames per second. Consequently, compressing video signals can be regarded as compressing a set of image signals. Therefore, one of ordinary skill in the art would be motivated to modify the compression means shown in Okamoto et al in view of the compressing means shown in Adachi wherein the image quality would be deteriorated as shown by Adachi's apparatus for the purpose of improving the recording density of the recording medium as suggested by Adachi. Applicant's attention is directed to Adachi's column 1, lines 34-49.

Regarding the Applicant's argument in that the proposed combination of Okamoto et al, Adachi and Hiroaki indicated above being improper, because the

Okamoto et al and Hiroaki are nonanalogous art in that Hiroaki is directed only to a picture processor apparatus describing when a copy signal is detected printing out "characters to the recording part", Examiner disagrees.

It is noted that the proposed combination of Okamoto et al, Adachi, and Hiroaki is proper. Both Okamoto et al and Hiroaki are directed to an apparatus for reproducing recorded video signals from a recording medium. It is to be noted that Hiroaki discloses in the front page paragraph entitled "Solution" that the picture signal can be generated from a VTR. And Hiroaki further discloses the capability of preventing a video encoding circuit from outputting an inputted video signal generated from the VTR based on detection of copy guard signal as claimed. See the paragraph entitled "Solution" shown in Hiroaki.

Therefore, one of ordinary skill in the art would be motivated to modify the Okamoto et al's recording/reproducing apparatus wherein the reproducing means/encoding means provided thereof (See Okamoto et al's Figure 1, components 2, and 3) would incorporate the capability of preventing the encoding means from outputting the video signal in the case where an output of screen information stored in the storage device is ordered in the same conventional manner as shown by Kitazawa Hiroaki. The motivation being to prevent unauthorized viewing of the reproduced video signal as suggested by Kitazawa Hiroaki.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier
March 24, 2004.


ROBERT CHEVALIER
PRIMARY EXAMINER